

# Voices for Civil Justice **Media Toolkit**

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## Voices for Civil Justice: Messaging & Talking Points

### General Messaging on Voices for Civil Justice and Civil Legal Aid

#### Voices for Civil Justice

Voices for Civil Justice is a nonpartisan communications hub advancing fairness in America’s legal system. We raise awareness of the vital role of civil legal aid in helping people protect their livelihoods, their health and their families. Civil legal aid levels the playing field by providing legal assistance and representation, self-help centers, pro bono and court-based services, and access to information and forms. It fulfills our nation’s fundamental promise of justice for all—not just for the few who can afford it.

#### Nine-Second Statement on What Civil Legal Aid Does

Civil legal aid helps ensure fairness for all in the justice system, regardless of how much money you have.

#### Two-Minute Statement on What Civil Legal Aid Is and What It Does

Civil legal aid helps ensure fairness for all in the justice system, regardless of how much money you have. It provides access to legal help for people to protect their livelihoods, their health, and their families. Civil legal aid makes it easier to access information—whether through easy-to-understand forms, including online forms; legal assistance or representation; and legal self-help centers—so people know their rights. Civil legal aid also helps streamline the court system and cuts down on court costs. When we say the Pledge of Allegiance we close with “justice for all.” We need civil legal aid to ensure that the principle our founding fathers envisioned remains alive: justice for all, not the few who can afford it.

### Additional Messaging and Talking Points

- **Civil legal aid helps ensure fairness for all in America’s justice system, regardless of how much money you have.**
  - Our civil justice system is facing a crisis. Millions of Americans cannot afford the legal help they need when facing life-changing situations, such as domestic violence, unlawful evictions, or the loss of veterans’, health or disability benefits. They’re left to navigate these complex legal situations on

their own—and risk losing their families, homes and livelihoods in the process.

- Civil legal aid is critical to fulfilling our nation’s promise of justice for all. It serves Americans of all backgrounds and ages, including those who face the toughest civil legal challenges: children, veterans, seniors, people with disabilities, and victims of domestic violence.
- Civil legal aid provides Americans with the legal tools they need to protect their families, homes and health.
  
- **Civil legal aid leads the legal profession when it comes to innovations and new technology, making it easier for all Americans to access information and know their rights.**
  - Creative programs, from easy-to-understand forms to legal self-help centers, are benefiting the civil justice system by making legal proceedings more accessible and efficient for all.
  
- **Civil legal aid provides important return on investment for taxpayers, businesses and communities.**
  - A lack of access to justice for some is a burden to all. Strengthening civil legal aid saves taxpayers and businesses money, restores communities and boosts local economies.
  - Civil legal aid helps streamline the court system by fostering efficiency, reducing the number of unnecessary lawsuits and cutting down on court costs and staff overtime.
  - Investing in civil legal aid saves money in the long run. *For local and state reporters only:* Chief Judge Jonathan Lippman of New York said recently that for every dollar spent on civil legal services, \$5 is returned to New York State. Other state economic benefit studies support this finding.
  
- **Civil legal aid helps level the playing field.**
  - Civil legal aid is one of the best strategies we have to tackle inequality and poverty.

## **Questions and Answers**

### **1. What is civil legal aid?**

*Civil legal aid is a combination of services and resources that helps Americans of all backgrounds – including those who face the toughest legal challenges: children, veterans, seniors, ill or disabled people, and victims of domestic violence – to effectively navigate the justice system.*

*Civil legal aid connects Americans with a range of services—including legal assistance and representation; self-help centers and other court-based services, free legal clinics and pro-*

*bono assistance, and access to web-based information and forms—that help guide them through complicated legal proceedings. In doing so, civil legal aid helps Americans protect their livelihoods, their health, and their families.*

## **2. Aren't civil legal aid services a handout?**

*Civil legal aid helps ensure fairness for all in the justice system, regardless of how much money one has. Equal justice under law is a fundamental American value, engraved on the Supreme Court building and taught in classrooms across the country. Civil legal aid helps to fulfill this promise of justice for all, not just for the few who can afford it.*

## **3. Why increase funding for civil legal aid when budgets are already under stress? Government programs and social services are facing cuts across the board; why should civil legal aid be immune?**

*Civil legal aid is funded by a variety of sources. Public funding comes from federal, state, and local governments. Private support comes from charitable donations and foundation grants as well as from the volunteer services of private lawyers, law students, and others. Still, funding for civil legal aid meets only 20% of the need.*

*Wherever funds originate, civil legal aid is an investment with a good return for taxpayers, businesses and communities. For example, businesses and investors save money from the restoration of home values resulting from foreclosure prevention. Health care providers also save money when civil legal aid helps eligible families obtain insurance coverage or Medicaid to pay for their services.*

*Civil legal aid also helps reduce—not increase—costs to taxpayers. Taxpayers save money from legal aid's success in reducing homelessness for children, veterans, seniors, people with disabilities, and others, and the incidence of domestic violence. Civil legal aid also helps streamline the court system by reducing the number of unnecessary lawsuits and cutting down on court costs and staff overtime.*

## **4. Doesn't civil legal aid leave out middle-class families, many of whom also cannot afford a lawyer but who primarily foot the bill for these programs?**

*Civil legal aid can help ensure that everyone is treated fairly in the justice system, regardless of how much money one has. Civil legal aid serves Americans of all backgrounds and ages, including those who face the toughest legal challenges: children, veterans, seniors, ill or disabled people, and victims of domestic violence. Civil legal aid takes many forms, and middle-class families can access many resources such as online information and forms and court-based self-help centers.*

*Still, despite progress made, we are facing a crisis of access to these services. To help ensure fairness in the justice system, it is critical that we expand access to these services for Americans of all backgrounds.*

## **5. Should taxpayer money fund programs that simply enhance government dependency?**

*Civil legal aid is part of the solution, not the problem. It provides access to legal help so that people can protect their own livelihoods, their health, and their families. Civil legal aid empowers individuals to better navigate the civil justice system.*

## **6. What is the Legal Services Corporation (LSC)? How does it fit into the bigger picture of civil legal aid?**

*LSC administers the federal government's investment in civil legal aid. It is the largest single funder of civil legal aid, but it provides less than one-quarter of the total funding nationwide.*

*LSC funds 134 independent non-profit organizations located in every state. These programs are among several hundred non-profits, pro bono programs, court-based services, and others that comprise the civil legal aid sector.*

*Public funding for civil legal aid also comes from state and local governments. Private support comes from charitable donations and foundation grants, as well as from the volunteer services of private lawyers, law students, and others.*

## **8. Can't we fix the civil legal aid funding problem by getting more lawyers to do pro bono work?**

*Pro bono legal representation is a critical component of civil legal aid and plays an important role in providing access to the civil justice system, but it is only part of the solution. Despite the essential work of pro-bono attorneys, our nation faces an enormous justice gap. The demand for legal aid far outstrips the resources available, and as a result, many are navigating high-stakes legal situations—in which their families, homes, and livelihoods are on the line—on their own.*

*Closing this gap will require both an expansion of pro bono services and a variety of other measures, including increased funding from all sources and continued implementation of innovative solutions such as self-help centers, medical-legal partnerships, and access to web-based information and forms.*

## **9. Isn't civil legal aid effectively a subsidy for trial lawyers, burdening the court system with unneeded litigation and tying up resources that could be spent more effectively elsewhere?**

*Not at all. In fact, civil legal aid helps streamline the court system, reducing the number of unnecessary lawsuits and cutting down on court costs and staff overtime. Legal representation helps improve the efficiency of civil legal proceedings in the courts, while self-help centers and online legal forms can help parties navigate the system more effectively.*

## Media Interviews 101: Top Tips

### **Know your audience**

- Know to whom you are talking. If you're speaking with a print journalist, review his or her previous stories. If you're appearing on television or radio, watch a past segment to get a sense of the show's tone and format.
- Tailor your responses to the reporter, the outlet and the audiences they reach, and be mindful about his or her existing level of knowledge of your issues.
  - A reporter who regularly covers your area of expertise for a legal publication might be very familiar with civil legal aid work and may appreciate nuanced analysis or fresh, new angles.
  - General assignment reporters for a mainstream media outlet or general TV and radio audiences might not have background knowledge of your field and may need more basic information.
- Regardless of your audience, think of ways you can explain your work using analogies, images and interesting language. Avoid jargon, acronyms and overly technical language.

### **Messaging**

- Prepare as much as you can for the conversation. Think about what you would like to see in the resulting media coverage and plan accordingly. Prepare the 3-4 key messages that you'd like to convey and say them in a succinct, engaging and accessible way.
- Prepare facts to back up your points, and cite sources when appropriate.
- Before the interview, think about tough or hostile questions a reporter might ask and prepare honest, convincing responses.
- Don't be afraid to direct the interview. Keep your goals for the interview in mind and proactively steer the conversation.
- Don't wait for a reporter to ask the question that perfectly sets up your main points. Instead, segue into the topic you want to discuss by saying, "What really matters is..." or, "The most important issue is..."
- If a journalist asks you a question you feel uncomfortable discussing, politely say so and steer the conversation to one of your key points.

### **Be relaxed and speak confidently**

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- Do your best to relax. If you are nervous or this is your first time talking to a reporter, it is OK to say so (off camera or off the air). A good reporter wants to get it right, so will work to make you comfortable.
- Speak with confidence and enthusiasm.
- Listen carefully to each question. Take a few seconds to frame your answer.

- For television interviews, smile when you speak—even when tackling difficult subject matter. It conveys confidence and enthusiasm.

## **On the record, off the record and on background conversations**

- Unless you specify otherwise, assume that everything you say is on the record and can be used in a story.
- If you want to convey something off the record—meaning it cannot be used for publication— be very clear about it. Say, “This is off the record” BEFORE, not after your statement.
- Alternatively, you can request for your conversation with a reporter to be “on background.” This means that details from your conversation can be used in a story, but the reporter cannot use direct quotes or identify the specific source of the information.
- It’s important to note that journalists and media outlets often have differing views of what “off the record” and “on background” mean, so it is usually best to avoid these arrangements if possible to avoid unwittingly releasing sensitive information and/or being identified as the source of it. If you do need to use one of these arrangements, have a very explicit conversation at the outset with the journalist about what the terms mean.
- Given the potential for confusion and miscommunication, it is strongly advised to only convey information you feel comfortable being public.
- If it seems that you have been misunderstood, fix it immediately. Be gentle, but ensure the mistake is fixed.
- Be careful making jokes or speaking sarcastically; this can be easily misconstrued or misrepresented.

## **After the conversation**

- Politely request that reporters include a link to your new work, research paper, or website if possible.
- Be clear about how you would prefer to be identified. If you prefer your academic affiliation, or prefer to be identified as the author of your new book, or want to make sure the name of your organization or Voices for Civil Justice appears in the story, let the reporter know.
- If the reporter asks for it or if it seems appropriate, email links or any other helpful information.

## **Additional Tips for Appearing on TV**

When appearing as a guest on a news show, it’s important to remember that you will often be competing with other guests for time to deliver your message. A good host will ensure that each participant has time to talk; unfortunately, that is not always the case. In certain instances, if you are not asked a question directly, you will need to be assertive and jump



into the conversation in order to get your point across.

It's also important to remember that, regardless of how long the conversation is, most viewers will only remember a few points (or even just one) from it. TV attention spans are short and the average sound bite is less than 10 seconds, so you will be most effective if you repeat your points. Even when the conversation veers off topic—in fact *especially* when it veers off topic—you should use bridging language to get back to your main messages.

A few examples of bridging language:

- I don't know about that, but what I can tell you is...
- I think we're missing the real point, which is...
- I can tell you from my own experience...

Some additional tips for TV interviews:

- Be prepared. Practice and do not use notes!
- Smile and maintain a pleasant demeanor: The camera is always on.
- Try not to wear bold patterns or heavy jewelry.
- Accept makeup if it is offered. The light will make your face shine without it.
- Be brief. Stick to your three key messages and keep coming back to them.
- Opt for simple, direct language and avoid jargon.
- Look at the host or other guests, not at the camera (unless you're in a remote studio).
- Humor and warmth can be an asset; make sure to smile, even when you're not talking. TV cameras flatten your emotions and you will look like you're scowling if you don't.
- Sit slightly forward in an approachable manner.
- Speak at a natural volume and gesture naturally.
- Use hand gestures sparingly; too much can be distracting.
- Try not to repeat the language from the question in your answer.
- Sometimes you'll have a chance for a closing remark or the last question you'll get is "Do you have anything else to add?" Resist the urge to say no. This is a perfect opportunity to restate your message clearly and concisely.

## Basic Op-Ed Structure

*Based on materials developed by The Op-Ed Project (<http://www.theopedproject.org/>)*

1. **Compelling/colorful lede**—ideally around a news hook.
2. **Thesis:** Statement of the main argument of the piece.
3. **Argument** based on evidence (e.g., stats, news, reports from credible organizations, expert quotes, research, history, first-hand experience).
  - 1st Point
    - Evidence
    - Evidence
    - Conclusion
  - Transition, followed by 2nd Point
    - Evidence
    - Evidence
    - Conclusion
  - Transition, followed by 3rd Point
    - Evidence
    - Evidence
    - Conclusion

*Note: The body need not be formulaic; it's most important that the body offer some EXPOSITION OF THE ARGUMENT with SUPPORTING EVIDENCE.*

4. **"To Be Sure"** paragraph, in which the writer pre-empts potential critics by acknowledging any flaws in the argument, and/or addresses any obvious counter-arguments.
5. **Kicker/conclusion**, which often circles back to your lede—and may offer thoughts on how to solve a problem the piece outlines. Like the lede, it should be clear and pithy.

## Op-Eds: Key Questions

- What's the main idea? How long does it take to get there?
- What's the news peg/hook? Why should people care about this now?
- What standing does the author have on this issue? Is s/he an expert, or does s/he have personal experience of it?
- Does the piece offer a fresh argument—one that's not obvious/consistently talked about? Is it surprising, counterintuitive or offer new information—or at least synthesize it in a new way?
- Does the piece follow a logical argument? Does it make sense or is it a struggle to understand?
- Does it have supporting evidence for its argument?
- Could a broad audience understand this piece, or is it full of technical jargon or inside baseball references?
- If it outlines a problem, what's its solution?
- Wait, how long is this thing?!

## Creating a Storybank to Strengthen the Narrative

Stories about people's experiences help make complex policy issues understandable to a broad audience. Reporters rely on anecdotes to illustrate particular issues they are reporting on. Likewise, policy makers often request testimony from individuals during legislative hearings to highlight the need to create new or to change existing legislation.

Maintaining a story bank is a powerful tool for civil legal aid advocates. Doing so will help position your organization as a resource for the media, other advocates and policy makers. Using anecdotes drawn from the story bank in story pitches, media interviews, speeches and reports helps paint a fuller picture of what civil legal aid is, and shows in concrete terms why it matters.

### COLLECTING STORIES

Think about the types of stories you will need based on the civil legal aid issues you work on. You may want to limit your focus to one area, such as helping veterans access their benefits. Or your work may aim to highlight broader concerns, such as civil legal aid's role in helping Americans protect their livelihoods, health and families.

Other examples of civil legal aid story categories include, but are not limited to:

- Individuals who have accessed—and benefited from—newer forms of civil legal aid, such as self-help centers and other court-based services, web-based forms and information, and expanded pro-bono models.
- Americans who have averted or gotten through challenges like foreclosures, the loss of benefits, natural disasters, or domestic violence with the help of civil legal aid. Stories that include, “Without civil legal aid, I would have been (blank)” are extremely effective.
- Stories that highlight trends in civil legal aid, such as new angles on medical-legal partnerships, new tools available to pro se litigants, or the work civil legal aid lawyers are doing behind the scenes related to big stories in the news (e.g., enrolling in health insurance per the Affordable Care Act).

Whatever the topic, try to gather strong, broadly appealing cases. When recording someone's story, the best portrayals will be:

**Personal and sympathetic.** To make a story more compelling, personal details are important. Information such as how long he or she worked at his or her present job or the ages of children in the family helps make a story more real.

**Concise and memorable.** Record specific information beyond the basics (e.g., “appealed to a legal aid lawyer because they were denied SSI”) but try to keep the stories concise.

**Credible.** The media want believability and require true stories that have been vetted; beware of attention seekers. Try to find the types of families or individuals the broader public can relate to. Most often, people will listen to a story in which they can see similarities between the person involved and themselves or their own family members. And be sure to ask yourself if a given person’s story seems credible. Investigate any red flags before pitching the person to reporters as a source.

## CONDUCTING INTERVIEWS

A critical step to building your story bank is to actually verify each story rather than relying on second-hand information. Doing so ensures accuracy and allows you to determine if the person is a willing and credible interview for reporters.

When verifying stories, start by introducing your organization, explaining why it is useful that stories such as their own are shared with press, and reassuring sources that their privacy and comfort are of paramount importance.

- Start by asking for basic information, such as: *first name, last name, city, state, phone number, age, gender, marital status, children, income, and job.*
- Get a brief synopsis of the source’s situation. The first line should be a concise description of the problem (e.g., “After their home was destroyed in Hurricane Sandy, the Smith family has spent 8 months waiting for assistance to rebuild.”)
- Make notes pertaining to a source’s personality to assist others using the story bank, or to note red flags. For example, you might write “articulate, knowledgeable about legal issues.” If they show negative characteristics that could reflect poorly on your organization—e.g., they are especially hostile—reconsider including them in the story bank.
- At the end of the conversation, ask if there is anything the source would like to add. He or she may give a good quote that would be helpful to reporters or other information that would help the story gain exposure.
- Assure him or her that you will not release any of the information without prior consent. Impress upon the source that doing media interviews can help others get the civil legal aid he or she received to get through a tough situation. Media coverage of the source’s situation might also lead people to offer him/her assistance.

- If the person agrees to allow you to release his or her story, ask if he or she is willing to speak to reporters. Some people will be open to speaking with legislative staff members but are not willing to speak to media. And some who are comfortable with print media may not be willing to do television or radio.
- Politely inform the source that there is no guarantee their story will appear in media coverage, and assure them that if an opportunity arises to release their story to the press, you will first contact them for permission.
- After the call, follow up by sending the source information about your organization. If he or she seems really passionate about civil legal aid, tell him or her about advocacy networks.

## RELEASING STORIES

Your first responsibility is to those who have entrusted you with their stories: It is important to ensure they are comfortable and their and privacy is respected. **You must secure permission each time you plan to release someone's story and personal information.** It is important that you speak directly with the person before giving out his or her name or phone number.

It's best to ask how he or she prefers to be contacted. For example, it may not be possible for some people to do interviews at work, and some may prefer to contact reporters themselves. Also, when calling for permission to release, use the opportunity to update or expand the contact's story if needed. It is also a good idea to prepare him or her for the conversation with the reporter. If he or she appears somewhat nervous or apprehensive, offer to practice questions and answers before the interview.

## KEY TAKEAWAYS

- **Develop your network.**  
When establishing and adding to your story bank, develop a good rapport with journalists, story bank sources, and your network of civil legal aid advocates and providers.
- **Confirm source participation.**  
Always call story bank members before releasing their information and assure them that you are on their side.
- **Maintain good relationships with members of the media.**  
Be responsive, honest, and thorough when dealing with reporters.
- **Strengthen ties with allied organizations.**
  - When interacting with fellow advocates, foster reciprocal relationships that allow you to exchange stories and contacts.
  - A good collection of stories will help create stronger ties between your organization and your allies. This cohesion is essential to our advocacy efforts as we strive to elevate the civil legal aid sector.

## Media Protocols and Contact Information

If you receive an interview request about Voices for Civil Justice—or a media request for your organization that you think could also be a good opportunity for Voices—please contact Martha Bergmark and Elizabeth Arledge. In addition, feel free to reach out to them if you have an idea for media outreach, including thoughts on a reporter to contact; new or compelling information that could be used for a story pitch; or op-ed ideas.

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